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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,712	06/10/2005	Makoto Funabiki	MAT-8705US	6789
23122	7590	03/19/2008		
RATNERPRESTIA			EXAMINER	
P O BOX 980			NGUYEN, MINH TRANG T	
VALLEY FORGE, PA 19482-0980			ART UNIT	PAPER NUMBER
			4134	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/538,712

**Applicant(s)**

FUNABIKI ET AL.

**Examiner**

MINH-TRANG NGUYEN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/10/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CS-100)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 06/10/2005

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 2003/0012179 A1 to Yano et al.

As **claim 1**, Yano et al disclose a router device (see Fig. 1, items 103, 106; paragraph [0058]) comprising: a connection processing section for performing a connection process with a base station in an external network (see paragraph [0059]) ; a lower-layer information acquisition section for acquiring connection information with the base station, from the connection processing section (see paragraphs [0057]-[0058]) and a route judgment section for judging, when receiving a packet destined for a communication device in an external network from a radio terminal device in a same local network, the base station as a transfer destination in a case the connection information acquired from the lower-layer information acquisition section is indicative of a connection with the base station (see paragraph [0066]), and judging a transfer destination by looking up a routing table in a case the connection information is indicative of a non-connection with the base station (see paragraphs [0103 - 0105] and [0134]).

As **claim 2**, Yano et al further disclose a buffer for storing received data and a connection instructing section for instructing the connection processing section to have a connection with the base station (see paragraphs [0061 - 0064]), wherein the lower-layer information acquisition section further acquires connection information of whether or not it is connectable with the base station of the external network (see paragraph [0065]), and when the route judgment section receives a packet destined for a communication device of the external network from a radio terminal device in the same local network, in a case the connection information of from the lower-layer information acquisition section is indicative of being not connected with but connectable with the base station, the received packet is held in the buffer (see paragraph [0102], Fig. 13, item 1502), and the received data in the buffer is transferred to the base station after the connection instructing section instructed the connection processing section to have a connection with the base station and the connection processing section completes a connection with the base station (see paragraphs [0089 - 0091] and [0093]).

As **claim 3**, Yano et al further disclose a router device comprising: a mobile IP processing section for registering a position to a home agent device set up on the Internet (see paragraph [0096]) and a route judgment section for judging, when receiving a packet destined for a communication device in an external network from a radio terminal device in a same local network ( see Fig. 1, item 101, HA home agent device) , the home agent apparatus as a transfer destination in a case there is an entry for the home agent device within a binding update list of the mobile IP processing section, and judging a transfer destination by looking up a routing table in a case there

is no entry for the home agent device within a binding update list (see paragraph [0096]).

As **claim 4**, Yano et al further disclose wherein the route judgment section, in a case a next hop router is given as another router device in the same local network when looking up a routing table, inquires a radio terminal device, as a source of the received packet, whether to transfer the received packet to the next hop router\_(see paragraphs [0134 - 0138]).

As **claim 5**, Yano et al further disclose wherein the route judgment section transfers the received packet to the next hop router in a case of a response for permission from the radio terminal device and discards the received packet in a case of a response for non-permission (see paragraphs [0134 - 0139]).

As **claim 6**, see similar rejection to claim 1. Yano et al further disclose a communication method on a local network having a plurality of radio terminal devices and a plurality of router devices for communication with a communication device existing on the Internet (see Fig. 1, paragraphs [0055 - 0058]) the communication method characterized in that: the router device, when receiving a packet from a radio terminal device in a same local network during connection with a base station external of the local network, transfers the packet received to the external base station with which the router device itself is connected, regardless of a content of a routing table (see paragraph [0066]).

As **claim 7**, Yano et al disclose a step of transmitting a packet destined for a communication device in an external network, from a radio terminal device within a

same local network to a router device (see Fig. 12, item 1401, paragraph [0143]; a step of detecting a connection state of between the router device and the base station of the external network when the router device received the packet ( see paragraph [0145]); and a step of transferring the packet to the base station in a case connected with the base station, and transferring the packet according to a routing table in a case not connected to the base station ( see paragraphs [ 0134- 0135] and [0145-0146]).

As **Claim 8**, see similar rejection to claim 7, Yano et al further disclose whereby connection processing is performed with the base station when connectable and the packet is transferred according to a routing table when not connectable (see paragraph [0135]).

As **claim 9**, see similar rejection to claim 6. Yano et al further disclose a communication method on a local network having a plurality of radio terminal devices and a plurality of router devices for communication with a communication device existing on the Internet (see Fig. 1), the communication method characterized in that: the router device, when receiving a packet from a radio terminal device in a same local network in a case there is an entry for a home agent device in a binding update list, transferring the packet received to the communication device via the home agent device through use of reverse tunneling based on mobile IP (see paragraph [0072]), regardless of a content of a routing table.

As **Claim 10**, see similar rejection to claim 7, 8 and 9.

As **Claim 11**, Yano et al further disclose wherein the route judgment section, in a case a next hop router is given as another router device in the same local network when

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looking up a routing table, inquires a radio terminal device, as a source of the received packet, whether to transfer the received packet to the next hop router (see paragraphs [0134 - 0139]).

**As claim 12**, see similar rejection to claim 11.

**As claim 13**, see similar rejection to claim 5.

**As claim 14**, see similar rejection to claim 5.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kumaki et al. [US 2002/0191562 A1], Agrawal et al [6,490,259] and Ishii [US 2002/0131602 A1] are relate to router device which use headers and forwarding table to determine the best path for forwarding the packets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-TRANG NGUYEN whose telephone number is (571)270-5248. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lun-Yi Lao can be reached on 571-272-7671. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MINH-TRANG NGUYEN/  
Examiner, Art Unit 4134

/M. N./  
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